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|--|-----------------------|--------------------|
| Application No. 05 724 422.0 - 2413 | Ref. P307479EP-PCT | Date 11.07.2007 |
| Applicant Electronics for Imaging, Inc. | | |

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



Homan, Peter
Primary Examiner
for the Examining Division

Enclosure(s): 3 page/s reasons (Form 2906)



| Bescheid/Protokoll (Anlage) | | Communication/Minutes (Annex) | | Notification/Procès-verbal (Annexe) | |
|-----------------------------|------------|-------------------------------|---|--|--|
| Datum Date Date | 11.07.2007 | Blatt Sheet Feuille | 1 | Anmelde-Nr.: Application No.: 05 724 422.0 Demande n°: | |

The examination is being carried out on the **following application documents**:

Description, Pages

1-25 as published

Claims, Numbers

1-16 received on 25.10.2006 with letter of 20.10.2006

Drawings, Sheets

1/12-12/12 as published

- 1 The present communication refers back to **Written Opinion** of the International Searching Authority for the following International Application:

PCT/US05/06877

Said Written Opinion is to be referred to as **the WO-ISA** throughout this communication.

- 2 While entering the European regional phase, the applicant has submitted a new set of claims. After carefully comparing the current (new) set of claims with the set of claims as originally filed in the PCT phase, the examining division has come to the

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2

Anmelde-Nr.:
Application No.: 05 724 422.0
Demande n°:

conclusion that the current set of claims corresponds to the originally filed set of claims, with the following relations:

| Current claim | Original claim |
|---------------|----------------|
| 1 | 1 |
| 2 | 8 |
| 3 | 11 |
| 4 | 12 |
| 5 | 13 |
| 6 | 14 |
| 7 | 15 |
| 8 | 3 |
| 9 | 4 |
| 10 | 5 |
| 11 | 6 |
| 12 | 7 |
| 13 | 21 |
| 14 | 22 |
| 15 | 23 |
| 16 | 24 |

Thus, the objections as put forward in the WO-ISA also apply to the current set of claims.

- 3 The claims do not meet the requirement of clarity (Article 84 EPC): see **Item VIII of the WO-ISA**, and the following remarks:
 - 3.1 Claim 6 comprises **expressions in parentheses**, which are not reference signs. Thus, the scope of protection is rendered vague because it is not clear whether these expressions belong to the scope or not (Guidelines, C-III, 4.11).
- 4 The present application does not meet the requirements of Article 52(1) EPC,



because the subject-matter of independent claims is not new in the sense of Article 54(1) and (2) EPC: see **Item V of the WO-ISA**.

- 5 In case the applicant intends to file a new set of claims, he is requested to take into consideration the remarks disclosed in **Item VII of the WO-ISA**, and the following remarks:
 - 5.1 When filing amended claims, the applicant should at the same time bring the description into conformity with the amended claims (Rule 27(1)(c) EPC). **Care should be taken during revision**, especially of the introductory portion and any statements of problem or advantage, **not to add subject-matter which extends beyond the content of the application as originally filed** (Article 123(2) EPC).
 - 5.2 In order to facilitate the examination of the conformity of the amended application with the requirements of Article 123(2) EPC, **the applicant is requested to clearly identify all the amendments carried out**, irrespective of whether they concern amendments by addition, replacement or deletion, **and to indicate the passages of the application as filed on which these amendments are based** (see the Guidelines, E-II, 1).
 - 5.3 The applicant is requested to file a **typewritten form** of all modified claims, description pages, and drawings (Rule 36(2) EPC).
 - 5.4 The applicant is reminded that according to **Rule 86(3) EPC**, after receipt of this communication the applicant may, of his own volition, amend once the description, claims and drawings. **No further amendments will be allowed by the Examining Division** except for minor amendments concerning clarity of claims or form and content of the description. Should the newly filed set of claims fail to meet the requirements of Article 52(1) EPC, then a refusal of the application is to be expected in the course of following examination.